

REMARKS/ARGUMENTS

The present amendment is submitted in response to the Office Action dated December 21, 2005, which set a three-month period for response. Filed herewith is a Request for a Three-month Extension of Time, making this amendment due by June 21, 2006.

Claims 1-4 and 9-11 are pending in the application.

In the Office Action, the drawings were objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims, specifically, the security module configured for mounting on a column of a motor vehicle as recited in claim 7. Claim 1 was objected to for various informalities. Claim 9 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 9 was further rejected under 35 U.S.C. 101 on grounds the invention is directed to non-statutory subject matter. Claims 1-6 and 8-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,946,191 to Putsch in view of U.S. Patent No. 6,935,590 to Karwaczynski. Claims 1-4, 10, and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,556,129 to Coman et al in view of Karwaczynski. Claims 5 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Coman et al in view of Karwaczynski, and further in view of Putsch. Claims 1 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,511,093 to Buerkle et al in view of Karwaczynski.

In the present amendment, claims 1 and 9 have been amended to address the stated objections and rejection under Section 112, second paragraph.

Claim 7 has been canceled, thus obviating the objection to the drawings.

Claim 1 has been amended further to define the present invention more clearly over the cited references by adding the features of claims 5 and 8, which were canceled. Claim 6 also has been canceled.

Amended claim 1 defines a security module with a module housing, in which a seat belt take-up roller and a side airbag module are commonly mounted, and now defines that this module housing is disposed on the inboard, vehicle interior-facing, side of the seat back of the vehicle seat, and that the belt take-up roller is disposed adjacent an exit slot formed in the module housing through which the safety belt exits the module housing. Finally, amended claim 1 defines that the side airbag module is located underneath the belt take-up roller.

From these features of amended claim 1, it is clear to the practitioner that the present invention is concerned with protection of the torso of the passengers and not the protection of the head, because the arrangement of the side airbag module beneath the seat belt take-up roller that takes up the shoulder belt relates to the upper body of the passengers, with regard to the lateral position of the side airbag.

Because claim 1 now includes the features of claims 5 and 8, the Applicants will address the rejection of the claims, including claims 1, 5, and 8, under 35 U.S.C. 103 over the combination of the Putsch and Karwaczynski patents raised in Section 8 of the Office Action.

The Applicants respectfully submit that the Examiner's interpretation of Putsch is unfounded, specifically, the Examiner's argument that the seat belt or the associated belt take-up roller and the side airbag module are mounted in a common module housing, as shown in Fig. 2 of Putsch. In fact, in column 2, lines 31-33, Putsch discloses that the shoulder belt 3 runs over both shoulders of the passenger

and subsequently enters into the back rest of the vehicle seat. From this, it can be deduced that the corresponding belt take-up rollers for the shoulder belts 3 are mounted in the interior of the back rest. In contrast, then, in column 2, lines 38-41, Putsch discloses that the side airbag 6 is mounted in a recess 5 of the side wings 1 arranged to extend about the shoulder of the vehicle passenger.

Putsch provides no suggestion or disclosure of accommodating the seat belt take-up roller for the shoulder belt 3 and the side airbag 6 in a common housing. Indeed, it would be technically impossible for Putsch to provide such an arrangement, based on the positioning of the shoulder belt 3 and the arrangement of the side airbag module 6.

In addition, amended claim 1 defines further the arrangement of the above-described module housing on the inner side of the vehicle seat. However, claim 1 also includes the features of claim 8, which relate to the arrangement of the side airbag module beneath the belt take-up roller in the common module housing. Since Putsch fails to disclose a common module housing, the arrangement of the side airbag and belt take-up roller within a common housing also is not provided by Putsch.

The cited patent to Karwaczynski fails to disclose a belt uptake-roller in combination with a side airbag module, so that the combination of Putsch with Karwaczynski simply would not lead the practitioner to the present invention.

Concerning the Examiner's argument with regard to claim 8, specifically that Putsch discloses that the belt take-up roller is arranged adjacent to an exit slot disposed in the module housing, the Applicants respectfully submit that Fig. 2 of Putsch does not show any kind of exit slot, because the shoulder belt 3 runs over the

shoulders of the passenger and according to column 2, line 32, enters into the back rest. Thus, from this disclosure, it cannot be concluded that here the shoulder belt 3 enters into a module housing, which, furthermore, is arranged separately from the running of the shoulder belt 3 in the side wings 1.

The Applicants therefore respectfully submit that the cited combination of the Putsch and Karwaczynski references does not establish a prima facie case of obviousness as clearly set forth in MPEP section 2143.01, since the prior art does not suggest the desirability of the claimed invention. In addition, the modification proposed by the Examiner would change the principle of operation of the prior art, so that also for this reason the references are not sufficient to render the claims prima facie obvious (see the last paragraph of the aforementioned MPEP section 2143.01).

With regard to the Coman reference, the Applicants submit that this reference also fails to disclose the common mounting of a belt take-up roller and a side airbag in a common housing. In particular, however, Coman also shows a different association of the running of the shoulder belt to the side airbag module, because according to Fig. 6, the exit slot for the shoulder belt 133 lies clearly beneath the side airbag module, which has the result that the side airbag module 137 can protect only the head of the vehicle occupant. The association of the belt take-up roller to the side airbag in the sense of the present invention (as defined in original claim 8 and now in amended claim 1) is not disclosed or suggested by Coman.

Appl. No. 10/727,412
Amdt. Dated June 21, 2006
Reply to Office Action of December 21, 2005

The application in its amended state is believed to be in condition for allowance. However, should the Examiner have any comments or suggestions, or wish to discuss the merits of the application, the undersigned would very much welcome a telephone call in order to expedite placement of the application into condition for allowance.

Respectfully submitted,



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